

U. S. DISTRICT COURT - DE

MISC. CASE # 05-194

AO 451 (Rev. 12/93) Certification of Judgment

FILED
CLERK U.S. DISTRICT COURT
DISTRICT OF DELAWARE
2005 OCT 3 AM 10:09

UNITED STATES DISTRICT COURT

EASTERN

DISTRICT OF

TENNESSEE

**CERTIFICATION OF JUDGMENT
FOR REGISTRATION IN
ANOTHER DISTRICT**

TRINITY OUTDOOR, LLC.

V.

PHOENIX STRUCTURES & SERVICE INC.,
and SUN OUTDOOR HOLDINGS, INC.

Case Number: 1:04-cv-202

I, Patricia L. McNutt Clerk of the United States district court certify that the attached judgment is a true and correct copy of the original judgment entered in this action 9/16/05, as it appears in the records of this court, and that

Date

* no notice of appeal from this judgment has been filed, and no motion of any kind listed in Rule 4(a) of the Federal Rules of Appellate Procedure has been filed.

IN TESTIMONY WHEREOF, I sign my name and affix the seal of this Court.

September 30, 2005

Date

Patricia L. McNutt

Clerk

R. A. S.

(By) Deputy Clerk

*Insert the appropriate language: "...no notice of appeal from this judgment has been filed, and no motion of any kind listed in Rule 4(a) of the Federal Rules of Appellate Procedure has been filed." ... "no notice of appeal from this judgment has been filed, and any motions of the kinds listed in Rule 4(a) of the Federal Rules of Appellate Procedure (†) have been disposed of, the latest order disposing of such a motion having been entered on [date]." ... "an appeal was taken from this judgment and the judgment was affirmed by mandate of the Court of Appeals issued on [date]." ... "an appeal was taken from this judgment and the appeal was dismissed by order entered on [date]."

(†Note: The motions listed in Rule 4(a), Fed. R. App. P., are motions: for judgment notwithstanding the verdict; to amend or make additional findings of fact; to alter or amend the judgment; for a new trial; and for an extension of time for filing a notice of appeal.)

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

TRINITY OUTDOOR, LLC,
a Georgia limited liability company

Plaintiff,

vs.

PHOENIX STRUCTURES & SERVICE,
INC., a Tennessee Corporation, and SUN
OUTDOOR HOLDINGS, INC., a Delaware
Corporation,

Defendant.

No. 1:04-cv-202

Magistrate Judge Carter

ATTEST: A true copy
Certified this SEP 30 2005
PATRICIA L. MCNUFF, CLERK
by [Signature] Dep. Clerk

FINAL JUDGMENT

For the reasons set forth in the accompanying memorandum, Trinity's unopposed motion for summary judgment is hereby **GRANTED** and **FINAL JUDGMENT** shall enter in favor of Trinity against Phoenix in the amount of \$724,542.47; provided, however, that said Final Judgment is collectible from and to the extent of proceeds available from applicable insurance policies in accordance with the Stipulation agreed to by Trinity, dated August 11, 2003, and approved by the Bankruptcy Court by Order dated August 21, 2003 (Case No. 02-12808 U.S. Bankr. Del., Mary F. Walrath, J.) which is incorporated by this reference (Court File No. 23, Exhibits 2 & 3).

The plaintiff is entitled to **JUDGMENT** in its favor. The Clerk shall close the file.

SO ORDERED.

ENTER.

s/William B. Mitchell Carter
UNITED STATES MAGISTRATE JUDGE